

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

**DONALD J. USSERY, JR.,**

**Plaintiff,**

**V.**

**HOUSTON COUNTY GEORGIA, et al.,**

**Defendants.**

**CIVIL ACTION NO. 5:24-cv-116 (MTT)**

## ORDER

Pro se plaintiff Donald Ussery, Jr. moves for the appointment of counsel. Doc. 2. Pursuant to 28 U.S.C. § 1915(e)(1), “[t]he court may request an attorney to represent any person unable to afford counsel.” Nevertheless, “[a]ppointment of counsel in a civil case is not a constitutional right.” *Wahl v. McIver*, 773 F.2d 1169, 1174 (11th Cir. 1985). Rather, “it is a privilege that is justified only by exceptional circumstances.” *Id.* In deciding whether legal counsel should be provided, the Court considers, among other factors, the merits of the plaintiff’s claims and the complexity of the issues presented. *Holt v. Ford*, 862 F.2d 850, 853 (11th Cir. 1989). Based on the information presented to the Court, Ussery’s claims do not present “exceptional circumstances” that would warrant the appointment of counsel. Accordingly, Ussery’s motion to appoint counsel (Doc. 2) is **DENIED**.

**SO ORDERED**, this 24th day of April, 2024.

S/ Marc T. Treadwell  
MARC T. TREADWELL, CHIEF JUDGE  
UNITED STATES DISTRICT COURT